

## REMARKS

This application has been carefully reviewed in light of the Office Action dated December 9, 2008. Claims 1 and 12 are in the application, with Claim 1 being independent. Claim 1 has been amended herein. Reconsideration and further examination are respectfully requested.

Claims 1 and 12 were rejected under 35 U.S.C. § 102(b) over U.S. Patent No. 6,034,506 (Hall). These rejections are respectfully traversed.

Claims 1 recites, *inter alia*, (i) a plurality of connected cells, each of which includes an overcurrent protecting element connected to the cell in series, (ii) a pair of second electrodes which is different from said pair of first electrodes and is configured to charge and discharge each of said plurality of cells individually through the overcurrent protecting element, and (iii) a switch configured to series connect said plurality of cells without the overcurrent protecting elements when the battery is not attached to a charger such that electric power can be extracted from the series-connected plurality of cells through said pair of first electrodes.

Hall is not seen to disclose or suggest at least the above-discussed features.

The dependent claim is also submitted to be patentable because it sets forth additional aspects of the present invention and is dependent from the independent claim discussed above. Therefore, separate and individual consideration of the dependent claim is respectfully requested.

The application is believed to be in condition for allowance, and a Notice of Allowance is respectfully requested.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should be directed to our address given below.

Respectfully submitted,

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